IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 16TH NOVEMBER 2006 / 25TH KARTHIKA 1928

WP(C).No. 30270 of 2006(C)

PETITIONER:

SUKUMARAN NAIR, AGED 56 YEARS,
S/O.KRISHNA PILLAI, RESIDING AT T.C.17/469(3)
CHITHRADAM, NAGARUKAVU LANE, POOJAPURA WARD,
SASTHAMANGALAM VILLAGE, THIRUVANANTHAPURAM.

BY ADV. SRI.S.V.PREMAKUMARAN NAIR
SRI.R.T.PRADEEP
SRI.V.VIJULAL

RESPONDENTS:

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1. ASSISTANT EXCISE COMMISSIONER,
OFFICE OF ASSISTANT EXCISE COMMISSIONER,
THIRUVANANTHAPURAM.

2. THE CIRCLE INSPECTOR OF POLICE,
OFFICE OF CIRCLE INSPECTOR OF POLICE,
NEDUMANGADU.

3. THE SUB INSPECTOR OF POLICE,
PARASSALA POLICE STATION, PARASSALA.

BY GOVERNMENT PLEADER SRI.D.ANILKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 16/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C)NO.30270 OF 2006

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Dated this the 16th day of November 2006

JUDGMENT

Petitioner's car is subject to confiscation proceedings under the Abkari Act. In the circumstances, there will be a direction to the first respondent/Assistant Excise Commissioner, Thiruvananthapuram to release the vehicle of petitioner on furnishing a bank guarantee for value of the vehicle.

2. Writ petition is disposed of with a direction to the first respondent to complete the confiscation proceedings after hearing the petitioner within a period of six weeks from the date of production of a copy of judgment. First respondent will get bank guarantee for the original cost of the car reduced by 20% for each year's use and proportionate reduction for part of the year. Bank guarantee shall be taken from the local branch of a scheduled bank.

Writ petition is disposed of as above.

C.N.RAMACHANDRAN NAIR, JUDGE

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